

REMARKS

This paper is responsive to the Office Action dated July 5, 2007. All rejections and objections of the Examiner are respectfully traversed. Reconsideration and further examination are respectfully requested.

At paragraph 1 of the Office Action, the Examiner objected to the Title. Amendments to the Title herein are respectfully believed to meet all requirements of the Examiner in this regard.

At paragraph 2 of the Office Action, the Examiner rejected claims 1-7, 12-19, and 24-25 as being anticipated under 35 U.S.C. 102 by United States Patent number 6,198,739 of Neyman et al. ("Neyman et al."). Applicant respectfully traverses this rejection.

Neyman et al. discloses a system for voice extensions in a call-in center, employing virtual restructuring for computer telephony integrated functionality. A multi-media call center in Neyman et al. has agent stations with telephones and multi-media computer platforms, and the telephones and computer platforms are connected by a bridge circuit adapted to allow audio data to be shared between the telephones and the computer platforms. The computer platforms of Neyman et al. are also adapted to process computer-simulated calls, and portions of calls may be recorded. The Neyman et al. system may respond to pre-determined key phrases uttered by callers, and may respond to an agent's voice commands.

Nothing in Neyman et al. describes or suggests a system or method for processing a received call, including:

...
detecting a change of mode event;
responsive to said detecting said change of mode event, entering a muted command mode during which a caller of said call is prevented from hearing said agent speaking;
receiving, during said muted command mode, at least one call description voice command from said agent; and

storing at least one activity code associated with said at least one call description voice command in a data record associated with said received call, wherein said at least one activity code describes said received call. (emphasis added)

as in the present independent claim 1. Independent claims 13 and 25 include analogous features. In contrast, Neyman et al. describes a system that operates to respond to an agent's voice commands spoken by the agent during a call, *without preventing the agent's spoken commands from being heard by the caller.* While in column 2 at lines 49-52 Neyman et al. describe responding to voice commands through a connected telephone or a microphone connected to the computer platform, nothing causes the Neyman et al. system to enter into a *command muted mode that prevents the caller from hearing the agent speaking*, and that is maintained while the *call description voice commands are received from the agent.*

That the caller and agent are both audible during the call in Neyman et al. is confirmed in column 12, under the heading "Voice Extensions Through Integrated Agent Workstations", where Neyman et al. teach that recordings of calls include *both* the caller and the receiving agent beginning at line 17:

In this embodiment a digital voice rendition of ***both parties*** to a call is transmitted on link 1163 (for example) to PC 1161. (emphasis added)

Accordingly, the teachings of Neyman et al. fail to disclose or suggest even the desirability of the command muted mode and related operation set forth in the current independent claims 1, 13 and 25.

For the above reasons, Applicant respectfully urges that Neyman et al. does not disclose or suggest all the features of the present independent claims 1, 13 and 25. Neyman et al. accordingly does not anticipate the present independent claims 1, 13 and 25 under 35 U.S.C. 102.

As to claims 2-7, 12, 14-19, and 24, they each depend from claims 1 and 13, and are respectfully believed to be patentable over Neyman et al. for at least the same reasons.

At paragraphs 3-4 of the Office Action, the Examiner rejected claims 8-11 and 20-23 for obviousness under 35 U.S.C. 103, citing Neyman et al. in combination with United States patent number 5,987,115 of Petrunka et al. ("Petrunka et al."). Applicant respectfully traverses this rejection.

As discussed above with regard to the rejections under 35 U.S.C. 102, Neyman et al. fails to disclose or suggest the independent claim features of "entering a muted command mode during which a caller of said call is prevented from hearing said agent speaking, and receiving, during said muted command mode, at least one call description voice command from said agent." The addition of Petrunka et al. fails to remedy this shortcoming in the teachings of Neyman et al. Petrunka et al. disclose a call servicing system that facilitates the servicing of customer calls by service agents. Petrunka et al. teaches at lines 13-16 in column 4 that an interactive voice response unit (IVR) collects agent information such as logging on, logging off, and availability. However, nothing in the combination of Neyman et al. and Petrunka et al. describes or suggests "entering a muted command mode during which a caller of said call is prevented from hearing said agent speaking, and receiving, during said muted command mode, at least one call description voice command from said agent," as in the present independent claims 1 and 13, from which claims 8-11 and 20-23 depend.

Applicant respectfully urges that the combination of Neyman et al. and Petrunka et al. does not disclose or suggest all the features of the present independent claims 1 and 13, and accordingly the combination of Neyman et al. and Petrunka et al. does not support a *prima facie*

case of obviousness under 35 U.S.C. 103 with regard to dependent claims 8-11 and 20-23, which each depend from claims 1 and 13.

Applicant therefore respectfully requests that the rejections based on Neyman et al. and Petrunka et al. be withdrawn.

Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicant's Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

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Date

/David Dagg/

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